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THE WHITE HOUSE

WASHINGTON

February 25, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Request for Remarks About Charles Kuralt
to be Published in "On the Road with Charles
Kuralt"

The publisher of a forthcoming book by Charles Kuralt has written the President to ask that he "contribute a few words about Charles for use in our publicity, promotion, and advertising." The attached draft reply for your signature advises the publisher that White House policy precludes such commercial endorsements by the President.

Attachment

THE WHITE HOUSE

WASHINGTON

February 25, 1985

Dear Mr. Nyren:

Thank you for your letter of February 11 to the President. That letter described a forthcoming book by Charles Kuralt, and requested that the President contribute a few words concerning Mr. Kuralt for use in promoting the book.

Please be advised that established White House policy generally prohibits any use of the name, likeness, photograph, or signature of the President in any manner that suggests or could be construed as endorsement of a commercial product or enterprise. Adherence to this policy requires us to decline your request. I trust you will understand that our response is in no sense an adverse reflection on Mr. Kuralt.

Sincerely,

Orig. signed by FFF

Fred F. Fielding
Counsel to the President

*(a great fan of Mr.
Kuralt)!*

Mr. Neil S. Nyren
Senior Editor
The Putnam Publishing Group
200 Madison Avenue
New York, New York 10016

FFF:JGR:aea 2/25/85
bcc: FFFielding
JGRoberts ✓
Subj
Chron

THE WHITE HOUSE
WASHINGTON

February 25, 1985

Dear Mr. Nyren:

Thank you for your letter of February 11 to the President. That letter described a forthcoming book by Charles Kuralt, and requested that the President contribute a few words concerning Mr. Kuralt for use in promoting the book.

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Sincerely,

Fred F. Fielding
Counsel to the President

Mr. Neil S. Nyren
Senior Editor
The Putnam Publishing Group
200 Madison Avenue
New York, New York 10016

FFF:JGR:aea 2/25/85
bcc: FFFielding
JGRoberts
Subj
Chron

17

ID# 288742

THE WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET

PP 014-08

212

INCOMING

DATE RECEIVED: FEBRUARY 14, 1985

NAME OF CORRESPONDENT: MR. NEIL S. NYREN

SUBJECT: REQUESTS REMARKS ABOUT CHARLES KURALT TO BE
PUBLISHED IN NEW BOOK, ON THE ROAD WITH
CHARLES KURALT

ROUTE TO: OFFICE/AGENCY (STAFF NAME)	ACTION ACT CODE	DATE YY/MM/DD	DISPOSITION TYPE RESP	C COMPLETED D YY/MM/DD
ANNE HIGGINS	ORG	85/02/14		1/1
<i>M. Berney</i>	A	85/02/19		1/1
<i>D. Holland</i>	±	85/02/19		1/1
<i>WAT 18</i>	D	85/02/18		5 85/03/01
		1/1		1/1

COMMENTS:

ADDITIONAL CORRESPONDENTS: MEDIA:L INDIVIDUAL CODES:

MI MAIL USER CODES: (A) (B) (C)

- *****
- | | | | |
|--------------------------|----------------------|----------------------|---|
| *ACTION CODES: | *DISPOSITION CODES: | *OUTGOING | * |
| *A-APPROPRIATE ACTION | *A-ANSWERED | *CORRESPONDENCE: | * |
| *C-COMMENT/RECOM | *B-NON-SPEC-REFERRAL | *TYPE RESP=INITIALS | * |
| *D-DRAFT RESPONSE | *C-COMPLETED | *OF SIGNER | * |
| *F-FURNISH FACT SHEET | *S-SUSPENDED | *CODE = A | * |
| *I-INFO COPY/NO ACT NEC* | | *COMPLETED = DATE OF | * |
| *R-DIRECT REPLY W/COPY * | | *OUTGOING | * |
| *S-FOR-SIGNATURE * | | | * |
| *X-INTERIM REPLY * | | | * |
- *****

REFER QUESTIONS AND ROUTING UPDATES TO CENTRAL REFERENCE
(ROOM 75, OFOB) EXT. 2590
KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING
LETTER AT ALL TIMES AND SEND COMPLETED RECORD TO RECORDS
MANAGEMENT.

THE PUTNAM PUBLISHING GROUP

200 MADISON AVENUE · NEW YORK, NEW YORK 10016 · (212) 576-8900 · TELEX 42-2386 COMAGEN

February 11, 1985

President Ronald Reagan
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20510

Dear President Reagan,

I am delighted to be publishing a book by a very special man this fall: Charles Kuralt's ON THE ROAD WITH CHARLES KURALT.

No one else writes quite the same kind of story he does -- the warm, funny, open-hearted explorations of America and Americans he has been giving us since 1967 -- stories from the backroads, "Where there is room for diversity and the occurrence of small miracles," that tell us something not only about the people he portrays, but about ourselves and this infinite and various country.

His book will gather together the best of his pieces, both long and short. Here you'll find the Missouri doctor whose fee is a Mason jar of buttermilk or sometimes just a handshake; the wildest horse trader in Texas; the last of the authentic Alaskan pioneers; the town that invented its own language to bamboozle tourists ("If a brightlighter come in, you want to harp a little narchness on him, you know"); the world-class croquet player from back-country Kentucky; the men who built the Golden Gate Bridge; the poet of steam engines ("You lean on the arm rest and see smoke trail back over the train and see that headlight shining out there and hear that ole girl talk to you in the language just you and she understand..."); and the Spivey family of Blackfoot, Idaho: Jerry, Terry, Sherry, Merry, Kerry, Cherry, Perry, Zerry, Berry -- and Joe. Here are blacksmiths, moonshiners, auctioneers, prospectors, boatbuilders, fishermen, dreamer, heroes and eccentrics -- all evidence that, as Kuralt says, "Americans are up to all sorts of surprising things. You never know what -- until you go out and take a look."

We don't yet have galleys of his book, but I know you are familiar with his work and his unique style. Would it be possible for you to contribute a few words about Charles for use in our publicity, promotion and advertising? I realize your schedule is busy, but I know how much your support would mean in bringing the book to the attention of its audience. If you need material on which to comment, please let me know and I'll be glad to put some together for you.

Thank you very much for your time and attention -- and I look forward to hearing from you.

Best,


Neil S. Nyren
Senior Editor

THE WHITE HOUSE

WASHINGTON

February 26, 1985

MEMORANDUM FOR LINAS KOJELIS
ASSOCIATE DIRECTOR
OFFICE OF PUBLIC LIAISON

FROM: JOHN G. ROBERTS 
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Letter from Balys Rackauskas Regarding
U.S. Foreign Policy and Proposed State
Department Reply

As we have discussed, Counsel's Office has reviewed the proposed State Department reply to Balys Rackauskas, and finds no objection to it from a legal perspective.

sg

WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET

IM

JR - sent

- O - OUTGOING
 - H - INTERNAL
 - I - INCOMING
- Date Correspondence Received (YY/MM/DD) 1 1 1

Name of Correspondent: Linas Kaylor, OPL

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: letter from Bayla Rachaushan regarding U.S. Foreign policy. State Dept draft includes extended reference to Karl Linnar case.

ROUTE TO:	ACTION	DISPOSITION
Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD
<u>CUTTOLL</u>	ORIGINATOR	<u>85,02,08</u>
<u>CUAT 18</u>	Referral Note: <u>R</u>	<u>8510211</u>
	Referral Note:	<u>S 8510211</u>
	Referral Note:	<u>1 1</u>
	Referral Note:	<u>1 1</u>
	Referral Note:	<u>1 1</u>

- ACTION CODES:**
- A - Appropriate Action
 - C - Comment/Recommendation
 - D - Draft Response
 - F - Furnish Fact Sheet to be used as Enclosure
 - I - Info Copy Only/No Action Necessary
 - R - Direct Reply w/Copy
 - S - For Signature
 - X - Interim Reply
- DISPOSITION CODES:**
- A - Answered
 - NS - Non-Special Referral
 - C - Completed
 - S - Suspended
- FOR OUTGOING CORRESPONDENCE:**
- Type of Response = Initials of Signer
 - Code = "A"
 - Completion Date = Date of Outgoing

Comments: See ID: 271614

Keep this worksheet attached to the original incoming letter.
Send all routing updates to Central Reference (Room 75, OE0B).
Always return completed correspondence record to Central Files.
Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

294513CU

THE WHITE HOUSE

WASHINGTON

February 6, 1985

MEMORANDUM FOR JOHN ROBERTS, OGC — Is this us?
LH
FROM: LINAS KOJELIS, OPL
SUBJECT: Correspondence from Balys Rackauskas

John, the attached letter from Mr. Balys Rackauskas regarding U.S. foreign policy was forwarded to the State Department for a draft reply. As you will note, however, the draft includes extended reference to the Karl Linnas case. I thought you should take a look at it before it goes out.

UNCLASSIFIED
(CLASSIFICATION)

✓ PLKOJE

S/S # 8500538

DATE January 31, 1985

DEPARTMENT OF STATE
EXECUTIVE SECRETARIAT
TRANSMITTAL FORM

FOR: Mr. Robert C. McFarlane
National Security Council
The White House

REFERENCE:


TO: President Reagan FROM: Mr. Balys Rackauskas
DATE: January 1, 1985 SUBJECT: Deportation Case
of Mr. Karl Linnas
WHITE HOUSE REFERRAL DATED: 1/9/85 NSC # 271614

THE ATTACHED ITEM WAS SENT DIRECTLY
TO THE DEPARTMENT OF STATE

ACTION TAKEN:

- A draft reply is attached
 A draft reply will be forwarded
 A translation is attached
 An information copy of a direct reply is attached
 We believe no response is necessary for the reason
cited below
 Other

REMARKS:


Nicholas Platt
Executive Secretary

UNCLASSIFIED
(CLASSIFICATION)



SUGGESTED REPLY United States Department of State

Washington, D.C. 20520

Dear Mr. Rackauskas:

I am replying to your recent message to President Reagan regarding the deportation of a former citizen of the Baltic States to the Soviet Union. I believe you are referring to the case of Mr. Karl Linnas.

Mr. Linnas was stripped of his U.S. citizenship by a federal district court in July 1981, inter alia, on the basis of the court's specific finding that he "did not possess the required good moral character because of his voluntary involvement in the unjustifiable atrocities committed against men, women, and children a relatively short period of time prior to his entry into this country." United States v. Linnas, 527 F. Supp. 426, 439 (E.D.N.Y. 1981). Mr. Linnas was found to have been an active, ranking member of the Selbstschutz, the Estonian "self-help" organization which carried out most of the arrests and executions of Jews in Estonia, and to have been head of the concentration camp at Tartu in 1941. The U.S. Court of Appeals for the Second Circuit affirmed the judgment of denaturalization, and the U.S. Supreme Court declined to review the matter.

Mr. Baly Rackauskas,
President,
Association of Lithuanian American
University Professors,
621 Wellington Avenue,
Chicago, Illinois.

DEPARTMENT OF STATE

A U.S. immigration judge concluded on May 19, 1983 that Mr. Linnas was deportable, denied him relief from deportation, and designated the Soviet Union as a country of deportation. On July 31, 1984, the Board of Immigration Appeals (BIA), affirmed the immigration judge's decision in substantial part but remanded the case for consideration of "the implications of the United States' refusal to recognize the Soviet annexation of Estonia," designation of a country of deportation, and articulation of the statutory basis for selection of the country designated. In re Karl Linnas, BIA, slip opinion at 16-17.

The handling of denaturalization and deportation proceedings by the United States against alleged Nazi persecutors is the responsibility of the Office of Special Investigations of the Criminal Division of the Department of Justice. As the Linnas case is in litigation, we suggest that specific questions relating to the case be directed to that office.

As to whether the deportation of Mr. Linnas to the USSR would be inconsistent with our long-standing policy of non-recognition of the forcible incorporation of the Baltic states by the Soviet Union, the Department of Justice has taken the position that deportation of Mr. Linnas would take place under section 243(a) (7) of the Immigration and Nationality Act, 8 U.S.C. Sec. 1253(a) (7). That section directs deportation to "any country which is willing to accept such alien into its territory." Under that section, Mr. Linnas

would be deported to the Soviet Union solely as a "country willing to accept" him and not in any other capacity, i.e., not as his country of nationality or citizenship. On the basis of this position, the Department of State has concluded deportation of Mr. Linna under 8 U.S.C. Sec. 1253(a) (7) to the Soviet Union would not, as a matter of law, contravene the long-standing and firmly held U.S. policy of non-recognition of the forcible incorporation of Estonia into the Soviet Union. We strongly adhere to that policy and believe it is unaffected by deportation as described above.

As noted above, for further details on the case you may wish to contact the Department of Justice. However, if we can be of further assistance, please feel free to contact us.

Sincerely,

8500538

T H E W H I T E H O U S E O F F I C E

REFERRAL

JANUARY 9, 1985

TO: DEPARTMENT OF STATE

ACTION REQUESTED:

DRAFT REPLY FOR SIGNATURE OF WHITE HOUSE STAFF MEMBER

DESCRIPTION OF INCOMING:

ID: 271614

MEDIA: MAILGRAM, DATED JANUARY 1, 1985

TO: PRESIDENT REAGAN

FROM: MR. BALYS RACKAUSKAS
PRESIDENT
ASSOCIATION OF LITHUANIAN AMERICAN
UNIVERSITY PROFESSORS
621 WELLINGTON AVENUE
CHICAGO IL 60657

SUBJECT: SUPPORTS SPACE DEFENSE, EXPRESSES CONCERN
REGARDING THE DEPORTATION OF A FORMER BALTIC
STATES CITIZEN TO SOVIET RUSSIA

PROMPT ACTION IS ESSENTIAL -- IF REQUIRED ACTION HAS NOT BEEN
TAKEN WITHIN 9 WORKING DAYS OF RECEIPT, PLEASE TELEPHONE THE
UNDERSIGNED AT 456-7486.

RETURN CORRESPONDENCE, WORKSHEET AND COPY OF RESPONSE
(OR DRAFT) TO:
AGENCY LIAISON, ROOM 91, THE WHITE HOUSE

SALLY KELLEY
DIRECTOR OF AGENCY LIAISON
PRESIDENTIAL CORRESPONDENCE

THE WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET

INCOMING

DATE RECEIVED: JANUARY 02, 1985

NAME OF CORRESPONDENT: MR. BALYS RACKAUSKAS

SUBJECT SUPPORTS SPACE DEFENSE, EXPRESSES CONCERN
REGARDING THE DEPORTATION OF A FORMER BALTIC
STATES CITIZEN TO SOVIET RUSSIA

ROUTE TO: OFFICE/AGENCY (STAFF NAME)	ACTION		DISPOSITION	
	ACT CODE	DATE YY/MM/DD	TYPE RESP	C COMPLETED D YY/MM/DD
----- LINAS KOJELIS	ORG	85/01/02		1/1
REFERRAL NOTE: _____				1/1
✓ 99 DOS	D	85/01/02		1/1
REFERRAL NOTE: _____				1/1
REFERRAL NOTE: _____				1/1
REFERRAL NOTE: _____				1/1
REFERRAL NOTE: _____				1/1

COMMENTS: _____

ADDITIONAL CORRESPONDENTS: MEDIA:M INDIVIDUAL CODES: _____
PL MAIL USER CODES: (A) _____ (B) _____ (C) _____

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*ACTION CODES:          *DISPOSITION CODES:      *OUTGOING          *
*                       *                                     *CORRESPONDENCE:  *
*A-APPROPRIATE ACTION  *A-ANSWERED              *TYPE RESP=INITIALS *
*C-COMMENT/RECOM       *B-NON-SPEC-REFERRAL    *                   *OF SIGNER         *
*D-DRAFT RESPONSE      *C-COMPLETED           *                   *CODE = A          *
*F-FURNISH FACT SHEET  *S-SUSPENDED           *COMPLETED = DATE OF *
*I-INFO COPY/NO ACT NEC*                                     *                   *OUTGOING          *
*R-DIRECT REPLY W/COPY *                                     *                   *                   *
*S-FOR-SIGNATURE       *                                     *                   *                   *
*X-INTERIM REPLY       *                                     *                   *                   *
*****

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REFER QUESTIONS AND ROUTING UPDATES TO CENTRAL REFERENCE
(ROOM 75, OEOB) EXT. 2590
KEEPER HAS WORKSHEET AND SHOULD COMPLETE ORIGINAL INCOMING CARDS
MANAGEMENT.

50 BALYS RACKAUSKAS
621 WELLINGTON AVE
CHICAGO IL 60657 01AM

117

Western Union Mailgram



1-000905S001 01/01/85 ICS IPMBNGZ CSP WHSC
3124724347 MGMB TDBN CHICAGC IL 192 01-01 0249A EST

#271614

PRESIDENT RONALD REAGAN
WHITE HOUSE
WASHINGTON DC 20500

8500538

DEAR MR PRESIDENT

OVER A YEAR AGO WE IMploRED YOU TO RUN FOR PRESIDENCY AGAIN AND WE ARE GRATEFUL YOU DID. WE PREDICTED A LANDSLIDE AND IT WAS. THANK YOU FOR HONORING US WITH A THOUGHTFUL LETTER. AMERICA IS IN SAFE HANDS AGAIN. YOUR SPACE DEFENSE IS WORKING IN MOSCOW AND GENEVA, THE STATEMENTS OF THE UNION OF CONCERNED SCIENTISTS - THE OLD CHARLES RIVER GANG - ARE NOT HONEST, IT'S GOOD YOU ARE KEEPING MR. WEINBERGER AND PROFESSOR SCHULIZ. SINCE FRANKLIN ROCSEVELT EVERY PRESIDENT DECLARED THAT THE UNITED STATES WILL NEVER RECOGNIZE DEOCCUPATION OF LITHUANIA, LATVIA AND ESTONIA. WE RECEIVED INFORMATION THAT SOME LEFTISTS IN THE JUSTICE DEPARTMENT ARE PRESSURNG THE STATE DEPARTMENT TO BREAK THIS WHOLLY NON-RECOGNITION PRINCIPLE IN ORDER TO DEPORT A FORMER BALTIC STATES CITIZEN TO SOVIET RUSSIA. WE KINDLY ASK YOU TO LOOK INTO THIS MATTER. WE WISH YOU MR. PRESIDENT AND DEAR NANCY HEALTH AND HAPPINESS FOR NEW YEAR, A GREAT INAUGURATION AND FAMOUS YEARS IN HISTORY REMEMBERING YOU AS THE GLOBAL SHIELD.

BALYS RACKAUSKAS, PRESIDENT, ASSOCIATION OF LITHUANIAN AMERICAN
UNIVERSITY PROFESSORS
621 WELLINGTON AVE
CHICAGC IL 60657

02:50 EST

MGMCMP

THE WHITE HOUSE

WASHINGTON

February 26, 1985

Dear Mr. Greene:

This is written in response to your letter of January 23 to the President. In that letter you noted that James D. Cullen had been indicted by a Federal grand jury, and you requested that the President intercede on his behalf.

Please be advised that it would be inappropriate and contrary to established White House policy for the President or any member of the White House staff to interfere in a pending criminal prosecution. Accordingly, no action is being taken in response to your request. I trust you will understand the reasons for this response.

Sincerely,

A handwritten signature in cursive script, appearing to read "John G. Roberts".

John G. Roberts
Associate Counsel to the President

Mr. Richard E. Greene
Post Office Box 8397
St. Louis, Missouri 63132

J1003

Sg

**WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET**

Response

- O - OUTGOING
- H - INTERNAL
- I - INCOMING

Date Correspondence Received (YY/MM/DD) 1/13/85

Name of Correspondent: Richard E. Preen

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: Indictment of James D. Cullen, Esquire, by the St. Louis Federal Grand Jury

ROUTE TO:	ACTION	DISPOSITION
Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD
<u>CUTOLL</u>	<u>ORIGINATOR</u>	<u>85102100</u>
<u>CUTAT 18</u>	<u>R</u>	<u>85102107</u>

- ACTION CODES:**
- A - Appropriate Action
 - C - Comment/Recommendation
 - D - Draft Response
 - F - Furnish Fact Sheet to be used as Enclosure
 - L - Info Copy Only/No Action Necessary
 - R - Direct Reply w/Copy
 - S - For Signature
 - X - Interim Reply
- DISPOSITION CODES:**
- A - Answered
 - B - Non-Special Referral
 - C - Completed
 - S - Suspended
- FOR OUTGOING CORRESPONDENCE:**
- Type of Response - Initials of Signer
 - Code - "A"
 - Completion Date - Date of Outgoing

Comments: _____

Richard Greene Co.

SINCE 1958

293933 *CU*

1235 RESEARCH BLVD.
P. O. BOX 8397
ST. LOUIS, MO. 63132
PHONE: 314 994-0222
TELEX: 44-2302

11882 W. 91st ST.
OVERLAND PARK, KS. 66214
PHONE: 913 492-6886
TELEX: 42-6369

INDUSTRIAL CONTROLS • SALES • SERVICE • STOCK

35
Fred Feldman
January 23, 1985

President Ronald Reagan
The White House
Washington, D. C. 20013-9998

My Dear Mr. President:

I have been a supporter of yours from the very beginning.

I believe in the America that you do and am fighting my bottom off to keep the Socialist from further erosion of my liberties. Now I need your support.

James D. Cullen, a lawyer, and a close and life long friend of mine, has been indicted by the St. Louis Federal Grand Jury.

Jim Cullen is of the highest character and has been caught up in a situation which is not of his making.

I need the situation looked into and his name cleared as a tragedy could occur if justice isn't done for Jim.

Won't you please look into this situation and intercede on his behalf?

I am looking forward to hearing from you in reference to this situation.

Sincerely,

RICHARD GREENE COMPANY

Richard E. Greene
Richard E. Greene

REG:sw


INDUSTRIAL CONTROLS • SALES • SERVICE • STOCK

THE WHITE HOUSE

WASHINGTON

February 26, 1985

MEMORANDUM FOR MICHAEL E. BAROODY
DEPUTY ASSISTANT TO THE PRESIDENT
DIRECTOR, PUBLIC AFFAIRS

FROM: JOHN G. ROBERTS 
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Questions and Answers for
National Wildlife Magazine

Counsel's Office has reviewed the above-referenced questions and answers, and finds no objection to them from a legal perspective. On page 4, line 7, should "specie" be "species"?

cc: David L. Chew

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

O - OUTGOING

H - INTERNAL

I - INCOMING

Date Correspondence Received (YY/MM/DD) 1 1

Name of Correspondent: David P. Chew

MI Mail Report

User Codes: (A) _____ (B) _____ (C) _____

Subject: Q & A for National Wildlife Magazine

ROUTE TO:

ACTION

DISPOSITION

Office/Agency	Staff Name	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>CUNHOLL</u>		ORIGINATOR	<u>85102125</u>			<u>1 1</u>
		Referral Note:				
<u>CLAT 18</u>		<u>R</u>	<u>85102125</u>		<u>5</u>	<u>85102126</u>
		Referral Note:				<u>APM</u>
			<u>1 1</u>			<u>1 1</u>
		Referral Note:				
			<u>1 1</u>			<u>1 1</u>
		Referral Note:				
			<u>1 1</u>			<u>1 1</u>
		Referral Note:				

ACTION CODES:

- A - Appropriate Action
- C - Comment/Recommendation
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- F - Furnish Fact Sheet to be used as Enclosure

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- R - Direct Reply w/Copy
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- A - Answered
- B - Non-Special Referral
- C - Completed
- S - Suspended

FOR OUTGOING CORRESPONDENCE:

- Type of Response - Initials of Signer
- Code - "A"
- Completion Date - Date of Outgoing

Comments: _____

Keep this worksheet attached to the original incoming letter.
 Send all routing updates to Central Reference (Room 75, OEOB).
 Always return completed correspondence record to Central Files.
 Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

WHITE HOUSE STAFFING MEMORANDUM

DATE: 2/25/85 ACTION/CONCURRENCE/COMMENT DUE BY: 2:00 TOMORROW 2/26

SUBJECT: Q&A FOR NATIONAL WILDLIFE MAGAZINE

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	MURPHY	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MEESE	<input type="checkbox"/>	<input type="checkbox"/>	OGLESBY	<input checked="" type="checkbox"/>	<input type="checkbox"/>
REGAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	ROGERS	<input type="checkbox"/>	<input type="checkbox"/>
DEAVER	<input type="checkbox"/>	<input type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
STOCKMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SVAHN	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CHEW	<input type="checkbox"/>	<input checked="" type="checkbox"/>	VERSTANDIG	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	WHITTLESEY	<input type="checkbox"/>	<input type="checkbox"/>
FULLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	KINGON	<input checked="" type="checkbox"/>	<input type="checkbox"/>
TUTTLE	<input type="checkbox"/>	<input type="checkbox"/>	BUCHANAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>
HICKEY	<input type="checkbox"/>	<input type="checkbox"/>	ROLLINS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
McFARLANE	<input type="checkbox"/>	<input type="checkbox"/>	FRIEDERSDORF	<input checked="" type="checkbox"/>	<input type="checkbox"/>
McMANUS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BAROODY	<input type="checkbox"/>	<input checked="" type="checkbox"/>

REMARKS:

Please provide any edits/comments directly to Mike Baroody by 2:00 p.m. tomorrow, with an information copy to my office.

Thank you.

RESPONSE:

February 25, 1985

Questions & Answers for National Wildlife Magazine

by President Ronald Reagan

- 1Q: You've often spoken eloquently of the "shining city on a hill" when talking about the future you see for America. Isn't clean air and water, better stewardship of the land, a sane energy policy, and safeguarding our precious wildlife resources an essential part of the picture?
- A: Absolutely, America's fantastic economic recovery has been achieved without sacrificing the wildlife, scenic grandeur, and other environmental values. In fact, these values have been enhanced through such initiatives as the billion dollar park restoration and improvement program, the great surge in private sector contributions of time, land, money, and equipment to the parks and wildlife refuge systems, several exciting fishery restoration projects, and the Chesapeake Bay recovery effort -- just to name a few. During my second Administration, we're going to continue to enhance our stewardship of all these resources.
- 2Q: Of all the major environmental problems facing us in this country today, which do you consider the most pressing? And how will your Administration address the issue?
- A: Well, there are several pressing environmental problems that we must address, and are addressing. Certainly we are going to be aggressive in the identification and the cleanup of toxic waste sites -- that has a top priority. We give a very high priority to determining the cause, and identifying effective ways to cope with the detrimental effects of "acid rain" on our lakes, forests and other natural resources. But we're not prepared to propose a program for solving the problem until we know more about it and are sure we have the right program for dealing with "acid rain."
- 3Q: Of the thousands of toxic dumps listed by the EPA as dangerous, only a handful are being cleaned up, in spite of Superfund. Both Bill Ruckelshaus, former EPA Administrator, and Lee Thomas, your present Administrator, feel much more money is going to be needed. Will you support a \$10 billion fund in order to get the job done faster and help people feel safer?
- A: In my last two State of the Union Addresses, I committed this Administration to support for Superfund reauthorization. Last Friday, February 22, I sent to the Congress proposed

legislation to keep that commitment. The bill would more than triple the size of the Superfund program -- from \$1.6 billion to \$5.3 billion over the next five years. The EPA has estimated that it cannot prudently spend more than \$1 billion per year, so this proposal represents the optimum funding level from a management perspective.

In addition to the expansion of the Superfund, we have requested increased enforcement authority to ensure that responsible parties either conduct or pay for the cleanup of hazardous waste sites that endanger public health or the environment. We will also seek to guarantee a larger role for affected citizens and the States, and expand authority to respond to emergencies.

We have to move forward aggressively to eliminate the health and environmental risks associated with past waste disposal practices.

To help ensure prompt enactment of responsible legislation, I have instructed Lee Thomas, Administrator of the EPA, to make reauthorization of this important legislation his highest priority.

4Q: Many of your Administration's environmental policies seem directed toward changing the role of the Federal government in protecting the environment. What do you believe is the appropriate role of the government in environmental protection?

A: Now let me stress that I believe one of the most important responsibilities of modern government is protection of the environment -- air, water, wildlife, parks and so forth. But let's remember that in our country there are several levels of government. What we have sought to do, and what we have accomplished, is to restore the partnership of the Federal government with the states in protection of the environment. Some of these protections require Federal leadership because, if a problem is not dealt with adequately in one state, the problem "flows," so-to-speak, into neighboring states.

There are many environmental and resource protection measures, however, that are better and more effectively handled by states or localities without the Federal government dictating terms or paying the costs. It has always amazed me that some people think a bureaucrat sitting behind a desk in our Nation's Capital is always better qualified to manage a resource than a state official in

California or Alaska or Michigan or local conservation officer wherever the resource might be located. We have been trying to restore the principle that the Federal government should take the lead in providing the environmental protections, and managing natural resources, where the national interest is involved, and that the states and localities should shoulder the responsibilities where they can and should be doing the job. That Federalist principle is a sound one and it can lessen our reliance on overly restrictive, overly costly and often totally inappropriate Federal regulations.

5Q: If states are given the responsibility for setting environmental standards, isn't there a possibility that many will enter into competition for new or relocated industry by reducing stringent environmental controls?

A: That is a legitimate concern in some cases. We support and are enforcing the laws that require states to establish and police environmental standards that provide an adequate level of protection. Surface mining regulation is one instance where Congress says the states must meet certain standards, and the Federal government must intervene if they don't. We have intervened -- taken over two state programs -- when they failed to live up to the standards established under the Federal strip mining law. But we think in most instances the states should enforce environmental protection programs, and should have reasonable flexibility to tailor regulations to adjust to the situations within the individual states.

6Q: The Endangered Species Act requires that the habitat needs of certain troubled species take precedence over Federal authorized development. Do you believe that water development projects, as one example, should be modified or even cancelled when necessary to protect the habitat of an endangered species?

A: The quick answer to your question is yes. The Endangered Species Act provides for Federal activities to be carried out so that endangered species are not jeopardized. Under the conditions you state in your question -- where it is the only alternative available to protect the habitat of an endangered specie -- suitable modification to project plans, or, if necessary, cancellation of a project may be appropriate.

As you are aware, the Act as amended does provide the Congressional consideration of waivers to the requirements of the Act in cases of apparent unresolvable conflict. However, this provision has been little used. Under provisions of the consultation process, satisfactory alternatives have in most cases been identified that protect the specie and permit the project to go through. We believe that sound planning and active public involvement, can minimize conflicts and, in most cases, resolve them to provide the needed water development while protecting rare species. ✓

7Q: When you go to Canada next week to meet with Prime Minister Mulroney, the number one topic may be acid rain. We understand that the Prime Minister has gotten an extra \$2 billion out of Parliament to fight acid rain and reduce emissions by 50 percent. So what will you say when he asks what Uncle Sam is going to do?

A: We share Canada's interest in protecting the environment against injury from any source, including "acid rain." We have already made some progress. One analysis published in 1983 showed that the acidity of precipitation in the northeastern U.S. has remained essentially unchanged since the mid-1960's. If it's not necessarily getting better, at least according to this study, it's not getting worse.

Although conditions in the southeastern U.S. are much less well understood, the data that are available do not suggest that rigid controls must be enacted immediately.

We have in place a coordinated 12-agency research program to find answers to the persistent, tough questions about acid rain. Nevertheless, although considerable research has already been done, respected scientists disagree on answers to important questions such as:

- o Where should corrective action be taken to produce improvement in a specific area?
- o Which pollutants are actually responsible for environmental damage?
- o Which corrective action will produce the greatest improvement at acceptable economic and social costs?

We are committed to finding answers to these questions. Those answers will enable us to take rational, effective corrective action. Despite the urgent need to control government spending, our Administration has tripled support for acid rain research -- at a time when nearly every other government program has been pared. We are determined to find a remedy for any threat posed by acid rain; but we are equally determined not to heap huge new burdens on taxpayers until we have a lot more evidence that a given program will actually solve or help to solve this problem.

8Q: Mr. President, your ranch and your visits there provide for you a respite from the tough job in the White House. Our readers would be interested in how you manage your ranch and what you enjoy most about the land and wildlife. Do you attempt or manage the land for any particular type of wildlife, such as songbirds or deer?

A: I'm not at the ranch as much as I'd like -- and never for more than a few days at a time. So I'm not able to run cattle there or actively manage it at all, any more. But Nancy and I maintain the ranch as open land and we enjoy seeing the hawks, the blacktailed deer, the raccoons and possums, and the other animals that live there.

I think it's important for us to keep open lands in the United States. There's something about the wide open spaces that gives you a real feeling of freedom, and I think the pioneers who settled the West felt that. That's one of the things I enjoy most about the ranch. It brings me back to a sense of history, of remembering where we came from, how our country grew, and what kind of people made it. The open lands, the wild lands, are an important part of our heritage, and I think every American should have the opportunity to experience that.

9Q: About 50 years ago, another President convened a White House conference to address fish and wildlife protection issues. Out of that grew the National Wildlife Federation. Now half a century later, how do you feel about the possibility of calling another White House conference to address conservation and environmental issues?

A: Well, a lot of good came out of that first North American Wildlife Conference called by President Roosevelt in 1936. Not only did it foster the birth of the General Wildlife Federation, which later became the National Wildlife Federation, but it set in motion the annual series of North

American conferences as a way for professionals in the fields of fish and wildlife and natural resource management to meet and discuss current issues and directions in this field.

Regarding Presidential involvement in the progress of natural resource management in this country, I think you have to look back much further, when another Roosevelt, Theodore, brought the first generation of conservationists into his circle of advisers and established the tradition of involvement with the natural resources community. I'd like to help carry on that tradition. Perhaps now is the time to begin a comprehensive look at where the Nation will be going in the next 50 years with the conservation of its resources. It is my hope that all of us at the Federal, state and local levels can work with private sector interests to develop a national consensus on natural resource policy.

10Q: The present problems of the deficit have focused increasing attention upon wasteful programs and government subsidies. In light of this, should the Federal government continue to hold sales of public timber that lose money and charge ranchers less than the market rate for grazing livestock on public lands?

A: First, let me address your question about grazing fees. This is a topic that Congress will be addressing soon. As you know, Congress established a formula for determining fair market value for grazing livestock on public lands and directed that the formula be used and studied on a 7-year trial basis. We are nearing the end of that test period and will be making recommendations to the Congress in the near-term. I am not ready yet to say what our recommendations will be; however, I think it is important that the public receive a reasonable return for use of the public resources.

With regard to public timber sales, this is an important revenue source and is the economic livelihood of many of our small towns and communities. I don't believe that we should be harvesting timber stands where we cannot be assured of prompt reforestation. There are many factors that must be considered in deciding whether or not to harvest. Cost is one of the factors that must be weighed heavily in the decision process, but we also need to consider jobs, protection of the environment, and other resource values.

11Q: You have signed legislation creating more Wilderness than any other President. There are those who argue that we have already established enough Wilderness and that any more designations should stop. Others hold that we need additional Wilderness areas. What is your position?

A: America is blessed with abundant land, water and wildlife resources that provide excellent opportunities to our citizens for many varied outdoor activities. We are fortunate that our predecessors in this government had the foresight to establish great national parks, Wilderness, and wildlife refuge systems to protect the best of these national treasures.

Protection of the Nation's park, Wilderness and wildlife resources has been and continues to be a high priority of this Administration. It is a goal I stressed to Secretary Hodel when I nominated him to Secretary of the Interior.

With regard to the question of whether we have enough Wilderness already, the Congress established a procedure for inventorying and studying our resources to determine their suitability for designation as Wilderness. We continue to study lands to determine which areas possess Wilderness characteristics and should be protected and preserved. The system provides for input from all interested parties, with the final designation decision resting with the Congress, following recommendations from the Executive Branch.

While there is no absolute answer to your question on how much Wilderness is needed, I think the process established by Congress provides for proper consideration in reaching these decisions.

12Q: The National Wildlife Federation believes the private sector must take the lead in solving many environmental problems. With this in mind, we have established the Corporate Conservation Council as a forum in which these issues can be discussed. Would you offer your views on the role you see for the private sector and the value of this kind of exchange?

A: Well, I'm tempted to say, "Welcome to the team!" The National Wildlife Federation isn't alone, by any means, in believing that we need to tap the vast talent and know-how the private sector can offer in dealing with the Nation's natural resource issues. I'm for using the broadest array of expertise we can put together to address these matters. We've always believed that this was the way to go, and that government can't do the job alone. That's the motivation

behind our Administration's private sector initiative effort -- opening up the avenues by which business and industry can tackle some of these more urgent priorities that are growing beyond the means of any one organization or government agency to solve.

If your Corporate Conservation Council can add a measure of support for these ventures and provide the forum for discussion of how best to build these sorts of partnerships, so much the better. I can assure you that any recommendations coming out of the council or any similar body will get a receptive hearing in this White House.

We've pioneered a number of private sector projects at the Interior Department. For example, I believe the new National Fish and Wildlife Foundation will help promote even greater private sector involvement in fish and wildlife issues. The Foundation, as you know, is specifically designed to encourage donations of funds and property to support the activities of the U.S. Fish and Wildlife Service. So we've got the ball rolling, and I expect the Federation's Corporate Conservation Council to help us keep it going with your ideas, your direction, and your support.

13Q: Many studies have concluded that pollution controls actually provide economic benefits through increased employment and business profits. Isn't this a strong argument for pollution cleanup?

A: Let's just say that I don't need that argument to convince me of the need for pollution prevention and pollution cleanup. The strongest economic argument for pollution prevention and cleanup is the fact that excessive pollution levies some very heavy costs -- costs in terms of added health care, avoidable injury, or even death of workers, costs in accelerated deterioration of structures and equipment, and costs where tourism and recreation attractions are impaired.

Pollution abatement and cleanup do provide opportunities for some new businesses, and more employment, but on the other side of the coin we have to recognize these also add to the final cost of goods and services, usually without increasing the amount of goods and services. Consumers either pay the higher costs for the U.S. made goods, or perhaps they switch to cheaper imports, adding to our international balance of trade deficit. This same process also can price U.S. goods out of international markets, with the same consequences.

14Q: Mr. President, your ranch and being out-of-doors obviously give you a great sense of well being for renewal. For the vast majority of Americans, their ranch is found in parks, wilderness areas, refuges -- public lands. When you head for your ranch, Mr. and Mrs. Joe Citizen pack up the kids and visit parks, go fishing, camping, hiking, and backpacking. Would you support investments in parks, natural areas, etc., to protect this outdoor heritage? Many of our readers might wonder if deferral does not mean loss of these lands.

A: Yes, I support investments in parks, natural areas and other portions of our outdoor heritage.

From 1981 through 1984, the National Park Service spent over \$365 million to acquire nearly 64,000 acres of new parkland. Also, more than 10,000 acres were acquired by donation or transfer. Another \$66.8 million is available for acquisition in the National Park System in 1985. As you know, we have recommended a three-year moratorium, beginning in 1986, on purchase of new Federal parklands in light of our national need to do something about the budget deficit. But, our commitment to protecting our outdoor heritage has not diminished. In fact, even our 1986 budget request includes \$11.3 million for emergency land acquisitions so that truly threatened areas will not be lost. We will continue to seek creative alternatives to Federal purchase, such as land exchanges, donations, and easements, until our Federal budget situation allows us to once again buy additional lands.

In addition, as many of your members know, we have just completed a four-year Park Restoration and Improvement Program which provided more than \$1 billion for restoration and improvement of facilities in the National Park System.

And, we continue to work with individuals and corporate interests to stimulate and encourage private initiatives which benefit the Nation's outdoor heritage.

15Q: Finally, Mr. President, what would you like to leave as the environmental legacy of your terms in office?

A: Early in this century, President Theodore Roosevelt said that we should treat the natural resources as assets which we must turn over to the next generation increased and not impaired in value. That's the legacy I want to leave -- fewer toxic waste hazards, cleaner air and water, identification of causes and a framework for reduction of acid rain, better maintained and managed national parks, improved protection for wetlands, effective fishery restoration,

more recovery programs for endangered species, additional wilderness, and a new spirit of partnership in the stewardship of the land and its resources. This legacy would include the promise of a future free of international conflict that would bring the ultimate in environmental disaster. And the legacy would include an America that has the economic vitality to maintain and sustain the environmental ethic so well stated eight decades ago by Teddy Roosevelt.

United States of America
**Office of
Personnel Management**

Office of the General Counsel
Washington, D.C. 20415

In Reply Refer To:

Your Reference:

March 27, 1985

MEMORANDUM FOR THE GENERAL COUNSELS
OF EXECUTIVE DEPARTMENTS AND AGENCIES

FROM: JOSEPH A. MORRIS
GENERAL COUNSEL 
OFFICE OF PERSONNEL MANAGEMENT

SUBJECT: PRO BONO PUBLICO SERVICES
BY FEDERAL GOVERNMENT ATTORNEYS

Transmitted herewith is a copy of a new installment of the Federal Personnel Manual relating to the provision of legal services pro bono publico by attorneys employed by the United States Government.

Included in the FPM issuance is the text of the statement that has been adopted by the Federal Legal Council in opposition to proposals to amend 18 U.S.C. § 205 so as to permit Government attorneys to represent parties other than the United States in matters in which the United States is a party or has a direct and substantial interest.

In this issuance, the Government acknowledges that Federal attorneys may have an ethical obligation to the system of justice to provide pro bono services, and that such an obligation can normally be met in a variety of ways. (Indeed, it can be argued that service as counsel to the Federal Government is pro bono publico by definition). Care must be taken, however, to ensure that pro bono activities do not run afoul of 18 U.S.C. § 205 or any other rules, including internal agency guidelines and ethical standards, that may apply. Federal attorneys may not serve clients other than the Government on Government time or at Government expense, and should not accept pro bono assignments that may interfere with the timely discharge of official duties. Above all, it should be borne in mind that the United States Government as a client is entitled to the same degree of loyalty as is any other client.

You may wish to share these materials with the lawyers on your staffs.

Chapter 990

General and Miscellaneous

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Subchapter 2. *Pro Bono Publico* Services by Federal Government Attorneys

2-1. General

a. Attorneys in the Federal Government often provide legal services *pro bono publico* when such activities do not present a conflict of interest with their Federal responsibilities. In addition to requirements and restrictions imposed upon *pro bono* services that are contained in relevant provisions of the Canons of Ethics (or relevant codes of professional responsibility), Federal attorneys must adhere to internal agency rules and Federal statutes governing conflicts of interest.

b. Various bar and other groups have advocated positions regarding *pro bono* work by Federal attorneys that may not be consistent with Federal law or policies. This subchapter clarifies the restrictions concerning *pro bono* activities by Federal attorneys.

2-2 Restrictions on *Pro Bono* Activities

a. The Federal Government recognizes that Federal attorneys may have an ethical obligation to the system of justice to provide *pro bono* services, and that such an obligation can normally be met in a variety of ways. Indeed, it can be argued that service as counsel to the Federal Government is *pro bono publico* by definition.

b. 18 U.S.C. § 205 prohibits Federal attorneys from acting as agent or attorney, with or without compensation, in any matter in which the Government has a direct and substantial interest (except certain personnel administrative proceedings). Attorneys should take care in selecting *pro bono* cases that such cases do not

fall within the purview of this restriction. Attorneys are encouraged (if not required by internal agency rules or policies) to seek advice from their superiors and Designated Agency Ethics Officials in interpreting and applying this statute with respect to any proposed *pro bono* services that they plan to undertake.

c. Federal attorneys may not perform *pro bono* services on Government time or at Government expense. See 61 Comp. Gen. 652 (1982). Similarly, attorneys may not utilize the services of other Federal employees on Government time to carry out otherwise impermissible *pro bono* services. In addition, OPM has concluded that Federal attorneys engaged in *pro bono* activities may not solicit Federal clerical employees to assist with *pro bono* work even on off-duty hours on a voluntary basis. See also Letter B-215476, to David B. Isbell, President, District of Columbia Bar, from Harry R. Van Cleve, Acting General Counsel, General Accounting Office (July 2, 1984).

d. Federal attorneys who consider performing *pro bono* services outside of their Government employment should consult their own agencies' internal guidelines. They should bear in mind that the United States Government as a client is entitled to the same degree of loyalty as any other client. In addition, Federal attorneys should not accept *pro bono* assignments that may interfere with the timely discharge of their official duties.

e. Appendix A contains the statement adopted by the Federal Legal Council.

Appendix A.

Statement by The Federal Legal Council in Opposition to Amendment of 18 U.S.C. § 205

The Federal Legal Council, established by Executive Order 12146 and composed of the Attorney General and General Counsels of the federal government, supports the facilitation of appropriate personal donations of pro bono legal services by federal attorneys.

There are, however, impediments that arise from the dual roles of an attorney who is also a federal employee. This is recognized by 18 U.S.C. § 205. Section 205 prohibits an employee from acting as agent or attorney for anyone before any department, agency, or court in any matter in which the United States is a party or has a direct and substantial interest.

The Council does not believe that government attorneys should be permitted to litigate against their own employer by representing pro bono clients in litigation against the federal government. Accordingly, the Federal Legal Council believes that the prohibition in 18 U.S.C. § 205 is needed and fully justified, and should not be amended.¹

Section 205 serves a legitimate purpose. The government has a clear interest in restricting activities by its employees that may be contrary to its interests. Permitting federal attorneys to litigate against the United States would raise inevitable ethical problems. The public expects complete compliance with ethical requirements and would not be well served by permitting its government's attorneys to be placed in a position where the conflicts of interest are so apparent and the opportunities for compromising their client's interests so plentiful.

The current ABA proposal to amend 18 U.S.C. § 205 appears to be based upon the argument that the size of the federal government is so great that employees of one governmental entity can represent pro bono clients in suits against other governmental entities without a conflict of interest arising. However,

conflicts may arise even where the attorney's pro bono representation involves litigation in an entirely different substantive area and against an entirely different governmental entity. For instance, an attorney in his pro bono capacity might have to challenge governmental jurisdictional defenses or make procedural attacks that would be (foreseeably or unforeseeably) applicable to his own agency or to governmental agencies generally. Moreover, by ignoring the extent to which information is and should be shared among various agencies and departments of the federal government, the proposed amendment of section 205 presents a real threat to confidentiality of the lawyer's primary "client"—the federal government. It does not seem useful to forego the existing clear-cut rule to create an amorphous situation demanding constant (and somewhat speculative) case-by-case analysis of whether a given government attorney's pro bono representation would raise such conflicts.

Therefore, the proposal to amend 18 U.S.C. § 205 raises questions regarding ethical obligations to avoid representation of a client which would adversely affect another client, and to exercise independent professional judgment on behalf of a client; to maintain a client's confidentiality; and to avoid the appearance of impropriety. *See, e.g.*, Canons 4, 5, and 9 of the Code of Professional Responsibility and Rules 1.6 and 1.7 of the ABA's new Model Rules of Professional Conduct.

The proposal is objectionable from a perspective of effective management of the federal government, as well as from an ethical perspective. The resolution ignores the extent to which agency policies and strategies—particularly in litigation—overlap and need to be coordinated. It is, to say the least, a questionable management practice, with dubious effects on morale, to have one employee litigating against another. And, as mentioned above, the proposed amendment of section 205 will chill the effective exchange of information within the federal government.

In short, we believe there is an inherent conflict in a government lawyer privately representing others

¹ It should be noted that the Council would not oppose considering an amendment eliminating the District of Columbia from the proscriptions of 18 U.S.C. § 205.

against the government or where the government has an interest in the case, and that this conflict cannot be overcome by the federal government's size. The fact that the federal government is large does not mean that it is not interconnected. The entire executive branch is, after all, responsible to one President.

Notwithstanding the current provisions of 18 U.S.C. § 205, government attorneys have a wide range

of opportunities to do pro bono work in areas not involving litigation against the United States. Similarly, the private bar is fully capable of providing pro bono representation in the one area in which government lawyers are barred from providing such services—against their own client, the federal government. Therefore, we oppose the proposed amendment of 18 U.S.C. § 205.

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